

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE  
Bangor Division**

JANE DOES 1–6, JOHN DOES 1–3,	)	
JACK DOES 1–1000, JOAN DOES 1–1000,	)	
	)	
Plaintiffs,	)	
v.	)	Case No. <u>1:21-cv-00242-JDL</u>
	)	
JANET T. MILLS, in her official capacity as	)	
Governor of the State of Maine,	)	
JEANNE M. LAMBREW, in her official capacity	)	
as Commissioner of the Maine Department of	)	
Health and Human Services,	)	
NIRAV D. SHAH, in his official capacity as	)	
Director of the Maine Center for Disease Control	)	
and Prevention,	)	
MAINEHEALTH,	)	
GENESIS HEALTHCARE OF MAINE, LLC,	)	
GENESIS HEALTHCARE, LLC,	)	
NORTHERN LIGHT HEALTH FOUNDATION,	)	
MAINEGENERAL HEALTH,	)	
	)	
Defendants.	)	

---

**NOTICE OF APPEAL**

Pursuant to Fed. R. App. P. 3 and 28 U.S.C. §1292(a)(1), Plaintiffs hereby notice their appeal to the United States Court of Appeals for the First Circuit from this Court’s Order on Plaintiffs’ Motion for Preliminary Injunction (dkt. 65), denying preliminary injunctive relief, which was issued today, October 13, 2021.

Respectfully submitted,

/s/ Stephen C. Whiting  
Stephen C. Whiting  
ME Bar No. 559  
The Whiting Law Firm  
75 Pearl Street, Suite 207  
Portland, ME 04101  
(207) 780-0681  
Email: steve@whitinglawfirm.com

/s/ Daniel J. Schmid  
Mathew D. Staver\*  
Horatio G. Mihet\*  
Roger K. Gannam\*  
Daniel J. Schmid\*  
LIBERTY COUNSEL  
P.O. Box 540774  
Orlando, FL 32854  
Phone: (407) 875-1776  
Facsimile: (407) 875-0770  
Email: court@lc.org  
hmihet@lc.org  
rgannam@lc.org  
dschmid@lc.org  
\*Admitted pro hac vice

*Attorneys for Plaintiffs*

**CERTIFICATE OF SERVICE**

I hereby certify that on this 13th day of October, 2021, I caused a true and correct copy of the foregoing to be electronically filed with this Court. Service will be effectuated on all Counsel of Record via this Court's ECF/electronic notification system.

/s/ Daniel J. Schmid  
Daniel J. Schmid